

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 25893

IN THE SUPREME COURT OF THE STATE OF HAWAII

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JAMES D. GUNDERSON, JR.,  
Plaintiff/Counterclaim Defendant-Appellee/Cross-Appellant

vs.

ASLAM MOHAMMAD SHAW,  
Defendant/Counterclaimant-Appellant/Cross-Claimant/Cross-Appellee

MAHMUNIR AFSHAR SHAH,  
Defendant/Cross-Claim Defendant/Cross-Appellee

and

JOHN DOES 1-10, JOHN DOE PARTNERSHIPS 1-10, JOHN DOE CORPORATIONS  
1-10, and JOHN DOE GOVERNMENTAL ENTITIES 1-10, Defendants

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ASLAM MOHAMMAD SHAW, Third-Party Plaintiff,

vs.

ANDREW FASHOLA (aka ADE FASHOLA); BUREAU OF LEGAL SERVICES,  
A.P.C., A CALIFORNIA CORPORATION, AND BUREAU OF LEGAL SERVICES  
(LOS ANGELES, CALIFORNIA DBA),

and

ROBERT J. CARTWRIGHT AND WHALERS REALTY, INC., A HAWAII  
CORPORATION, Third-Party Defendants

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APPEAL FROM THE SECOND CIRCUIT COURT  
(CIV. NO. 01-1-0256)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the record, it appears that the judgment entered on May 14, 2003, the Honorable Joel E. August, presiding, purports to be a certified final judgment on the claims and counterclaims by and between plaintiff James Gunderson, Jr. and

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defendants Mahmuniir Shah and Aslam Shaw. However, the May 14, 2003 judgment merely recites how the claims and counterclaims were resolved, but does not identify and enter judgment in favor of and against the parties on the claims asserted in the first amended complaint and does not enter judgment in favor of and against the parties on Counts 2, 3, 4, 6 and 7 of the first amended counterclaim, as required by Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 119-120, 869 P.2d 1334, 1338-39 (1994) ("[I]f a judgment purports to be the final judgment in a case involving multiple claims or multiple parties, the judgment must specifically identify the party or parties for and against whom the judgment is entered and must identify the claims for which it is entered[.]"). Thus, this appeal is premature and we lack jurisdiction. Therefore,

IT IS HEREBY ORDERED that this appeal and cross-appeal are dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, January 7, 2004.